

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:04cv156
vs.	:	
	:	District Judge Susan J. Dlott
REAL PROPERTY KNOWN & NUMBERED :	:	
AS 1446 BERCLIFF AVE, CINCINNATI,	:	
HAMILTON CTY., OHIO WITH ALL	:	
APPURTENANCES, IMPROVEMENTS, &	:	
ATTACHMENTS THEREON, et. al.,	:	
	:	
Defendant(s).	:	

ORDER

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Timothy S. Black filed on December 13, 2007(Doc. 34), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired January 3, 2008, hereby ADOPTS said Report and Recommendations.

Accordingly, it is ORDERED that plaintiff's motion for judgment on the pleadings (Doc. 30) and motion for default judgment (Doc. 32) are GRANTED. Thus, in accordance with Fed. R. Civ. P. 55(b)(2), 18 U.S.C. § 983(a)(4)(A) and (B), and Rule G of the Supplemental Rules for Certain Admiralty and Maritime Claims, a default judgment should be granted to the United States against Austell Stokes, Jr., Pheobia D. Stokes, American Auto Brokers and Buyers Ltd., Defendant 2, which is the Contents of Checking Account XXXX2805, Foundation Bank, in the name of Austell Stokes, Jr. and American Auto Brokers and Buyers Ltd., and all other persons and entities having an interest in Defendant 2 for failure to file a claim and answer.

It is further ORDERED that all right, title, and interest in the subject property be CONDEMNED and FORFEITED to the United States pursuant to 18 U.S.C. § 981(a)(1)(A), 18 U.S.C. § 981(a)(1)(C), 21 U.S.C. § 881(a)(6), and/or 31 U.S.C. §5317(c)(2). All right, title, and interest in Defendant 2 be vested in the United States of America and no right, title, or interest shall exist in any other person or entity. The United States Marshal Service shall dispose of the subject property in accordance with the law.

IT IS SO ORDERED.

s/Susan J. Dlott
Susan J. Dlott
United States District Judge